

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO
UNITED STATES OF AMERICA,

Plaintiff-Respondent,

v.

CIV 12-0801 MCA/KBM
CR 09-2054 MCA

NATHAN DeBREW, Sr.

Defendant-Movant.

**ORDER ADOPTING MAGISTRATE JUDGE'S
PROPOSED FINDINGS**

The Chief Magistrate Judge filed proposed findings on November 2, 2012 which recommended that Defendant's § 2255 petition be denied. *See Doc. 14.* The proposed findings notify Petitioner of his ability to file objections and that failure to do so waives appellate review. To-date, Petitioner has not filed any objections, and there is nothing in the record indicating that the proposed findings were not delivered.

Wherefore,

IT IS HEREBY ORDERED THAT:

1. The Magistrate Judge's Proposed Findings and Recommended Disposition (*Doc. 11* in the civil action and *Doc. 230* in the underlying criminal action) is ADOPTED;
2. The § 2255 petition (*Doc. 1* in the civil action and *Doc. 222* in the underlying criminal action) is DENIED; and
3. A final order enter concurrently herewith.



CHIEF UNITED STATES DISTRICT JUDGE